



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

June 30, 1999

Thomas L. Robinson
Society of Independent Gasoline Marketers of America
Political Action Committee
11911 Freedom Drive, Suite 590
Reston, VA 20190

RE: MUR 4905

Dear Mr. Robinson:

On 22 June, 1999, the Federal Election Commission found reason to believe that the Society of Independent Gasoline Marketers of America Political Action Committee and you, as treasurer, violated 2 U.S.C. § 434(a)(4)(A)(i), a provision of the Federal Election Campaign Act of 1971, as amended ("the Act"). However, after considering the circumstances of this matter, the Commission also determined to take no further action and closed its file. The Factual and Legal Analysis, which formed a basis for the Commission's finding, is attached for your information.

The Commission reminds you that failing to timely file a Year End Report is a violation of the Act. You should take steps to ensure that this activity does not occur in the future.

The confidentiality provisions at 2 U.S.C. § 437g(a)(12) no longer apply and this matter is now public. In addition, although the complete file must be placed on the public record within 30 days, this could occur at any time following certification of the Commission's vote. If you wish to submit any factual or legal materials to appear on the public record, please do so as soon as possible. While the file may be placed on the public record before receiving your additional materials, any permissible submissions will be added to the public record upon receipt.

If you have any questions, please contact David Austin, the staff member assigned to this matter, at (202) 694-1353.

Sincerely,

A handwritten signature in dark ink, appearing to read "Scott E. Thomas", is written over a horizontal line.

Scott E. Thomas
Chairman

Enclosure
Factual and Legal Analysis

99-04-393-1094

FEDERAL ELECTION COMMISSION

FACTUAL AND LEGAL ANALYSIS

RESPONDENTS: Society of Independent Gasoline Marketers
of America Political Action Committee
and Thomas L. Robinson, as Treasurer

MUR: 4905

This matter was generated based on information ascertained by the Federal Election Commission ("Commission") in the normal course of carrying out its supervisory responsibilities. See 2 U.S.C. § 437g(a)(2).

I. THE LAW

The Federal Election Campaign Act of 1971, as amended ("the Act"), provides that all political committees other than authorized committees of a candidate shall file quarterly reports in a calendar year in which a regularly scheduled general election is held, which shall be filed no later than the 15th day after the last day of each calendar quarter: except that the report for the quarter ending on December 31 of such calendar year shall be filed no later than January 31 of the following calendar year.

2 U.S.C. § 434(a)(4)(A)(i).

II. THE FACTS

The Society of Independent Gasoline Marketers of America Political Action Committee ("the Committee") is a political committee that is not an authorized committee of a candidate. Thomas L. Robinson is the treasurer of the Committee. The Committee failed to timely file the 1998 Year End Report of Receipts and Disbursements covering the period from November 24, 1998 through December 31, 1998. The Committee was notified of the due date for the 1998 Year End Report in Prior Notices mailed on December 29, 1997 (Attachment 1) and December 30, 1998 (Attachment 2). A

99.04.393.1095

Non-Filer Notice was sent to the Committee via mailgram on March 2, 1999, referencing the 1998 Year End Report (Attachment 3). On March 29, 1999, an analyst from the Commission's Reports Analysis Division ("RAD") spoke with a representative of the Committee regarding the Committee's failure to file the 1998 Year End Report. The representative stated that he would complete the report and send it by certified mail to the Commission.

The Committee filed its Year End Report on June 7, 1999, 127 days late. The Report disclosed \$7,097 in receipts and \$1,005 in disbursements. Because the report was not timely filed, there is reason to believe that the Society of Independent Gasoline Marketers of America Political Action Committee and Thomas L. Robinson, as treasurer, have violated 2 U.S.C. § 434(a)(4)(A)(i).

9601.393.1096

YEAR-END REPORT NOTICE

FEDERAL ELECTION COMMISSION

PARTIES AND PACS

December 29, 1997

WHO MUST FILE

Party committees and PACs (Nonconnected Committees and Separate Segregated Funds) must file a Year-End Report on January 31, 1998.

I. Semi-annual Filers

REPORT	REPORTING PERIOD*	REG./CERT. MAILING DATE**	FILING DATE
Year-End	07/01/97 - 12/31/97	01/31/98	01/31/98

II. Monthly Filers

REPORT	REPORTING PERIOD*	REG./CERT. MAILING DATE**	FILING DATE
Year-End	12/01/97 - 12/31/97	01/31/98	01/31/98

LABEL

Committees should affix the peel-off label from the envelope to line 1 of the report. Corrections should be made on the label.

COMPLIANCE

Treasurers of political committees are responsible for filing all reports on time. Failure to do so is subject to enforcement action. Committees filing illegible reports or using non-FEC forms (except for FEC approved computer generated forms) will be required to refile.

ELECTRONIC FILING

For reports covering activity occurring in 1997 (and later), political committees have the option of filing electronically. If you are interested in this option, review the enclosed handout entitled "Electronic Filing Gets Underway at FEC," and call the Data Division at (800) 424-9530 or (202) 219-3730.

*These dates indicate the beginning and the end of the reporting period. A reporting period always begins the day after the closing date of the last report filed. If the committee is new and has not previously filed a report, the first report must cover all activity that occurred before the committee registered.

** Reports sent by registered or certified mail must be postmarked by the mailing date; otherwise, they must be received by the filing date.

(over)

99.04.393.1097

PARTIES AND PACS

YEAR-END

1998 FILING SCHEDULE

I. QUARTERLY FILERS

REPORT	REPORTING PERIOD*	REG./CERT.	FILING DATE
		MAILING DATE**	
April Quarterly	01/01/98 - 03/31/98	04/15/98	04/15/98
July Quarterly	04/01/98 - 06/30/98	07/15/98	07/15/98
October Quarterly	07/01/98 - 09/30/98	10/15/98	10/15/98
Pre-General	10/01/98 - 10/14/98	10/19/98	10/22/98
Post-General	10/15/98 - 11/23/98	12/03/98	12/03/98
Year-End	11/24/98 - 12/31/98	01/31/99	01/31/99

II. MONTHLY FILERS

REPORT	REPORTING PERIOD*	REG./CERT.	FILING DATE
		MAILING DATE**	
February	01/01/98 - 01/31/98	02/20/98	02/20/98
March	02/01/98 - 02/28/98	03/20/98	03/20/98
April	03/01/98 - 03/31/98	04/20/98	04/20/98
May	04/01/98 - 04/30/98	05/20/98	05/20/98
June	05/01/98 - 05/31/98	06/20/98	06/20/98
July	06/01/98 - 06/30/98	07/20/98	07/20/98
August	07/01/98 - 07/31/98	08/20/98	08/20/98
September	08/01/98 - 08/31/98	09/20/98	09/20/98
October	09/01/98 - 09/30/98	10/20/98	10/20/98
Pre-General	10/01/98 - 10/14/98	10/19/98	10/22/98
Post-General	10/15/98 - 11/23/98	12/03/98	12/03/98
Year-End	11/24/98 - 12/31/98	01/31/99	01/31/99

24 HOUR REPORT ON INDEPENDENT EXPENDITURES

Any PAC that makes independent expenditures in connection with an election may have to file a 24 hour report. This reporting requirement is triggered if the committee makes independent expenditures aggregating \$1,000 or more after the 20th day, but more than 24 hours, before the day of the election.

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YEAR-END REPORT NOTICE

FEDERAL ELECTION COMMISSION

PARTIES AND PACS

December 30, 1998

WHO MUST FILE

Party Committees and PACs (Nonconnected Committees and Separate Segregated Funds) must file a Year-End Report.

QUARTERLY AND MONTHLY FILERS

REPORT	REPORTING PERIOD*	REG./CERT. MAILING DATE**	FILING DATE
Year-End	11/24/98 - 12/31/98	01/31/99	01/31/99

LABEL

Committees should affix the peel-off label from the envelope to line 1 of the report. Corrections should be made on the label.

CHANGE IN FILING FREQUENCY

Committees wishing to change their reporting schedule (for example, from monthly to quarterly) must notify the Commission in writing when they file their next report due under their current reporting schedule. Committees may change their filing frequencies no more than once per calendar year.

ELECTRONIC FILING

Political committees have the option of filing electronically. If you are interested in this option, review the enclosed handout entitled "Electronic Filing of Disclosure Reports," and call the Data Division at (800) 424-9530 or (202) 694-1250.

COMPLIANCE

Treasurers of political committees are responsible for filing all reports on time. Failure to do so is subject to enforcement action. Committees filing illegible reports or using non-FEC forms (except for FEC approved computer generated forms) will be required to refile.

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PARTIES AND PACS

Year-End

I. SEMIANNUAL FILERS

REPORT	REPORTING PERIOD*	REG./CERT.	FILING DATE
		MAILING DATE**	
Mid-Year	01/01/99 - 06/30/99	07/31/99	07/31/99
Year-End	07/01/99 - 12/31/99	01/31/00	01/31/00

II. MONTHLY FILERS

REPORT	REPORTING PERIOD*	REG./CERT.	FILING DATE
		MAILING DATE**	
February	01/01/99 - 01/31/99	02/20/99	02/20/99
March	02/01/99 - 02/28/99	03/20/99	03/20/99
April	03/01/99 - 03/31/99	04/20/99	04/20/99
May	04/01/99 - 04/30/99	05/20/99	05/20/99
June	05/01/99 - 05/31/99	06/20/99	06/20/99
July	06/01/99 - 06/30/99	07/20/99	07/20/99
August	07/01/99 - 07/31/99	08/20/99	08/20/99
September	08/01/99 - 08/31/99	09/20/99	09/20/99
October	09/01/99 - 09/30/99	10/20/99	10/20/99
November	10/01/99 - 10/31/99	11/20/99	11/20/99
December	11/01/99 - 11/30/99	12/20/99	12/20/99
Year-End	12/01/99 - 12/31/99	01/31/00	01/31/00

*These dates indicate the beginning and the end of the reporting period. A reporting period always begins the day after the closing date of the last report filed. If the committee is new and has not previously filed a report, the first report must cover all activity that occurred before the committee registered.

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99-04-393-1100

**WESTERN
UNION**

WESTERN UNION COMMERCIAL SERVICES
CONFIRMATION OF MAILGRAM TO: THOMAS L. ROBINSON
SOCIETY OF IND GAS MARKETERS/AMERICA PAC
11911 FREEDOM DRIVE SUITE 590
RESTON VA 20190

FEDERAL ELECTION COMMISSION
SHAWN WERTH
999 E ST. NW.
WASHINGTON DC 204630001

MARCH 2, 1999

IDENTIFICATION NUMBER: C00120030

REFERENCE: YEAR-END (11/24/1998 - 12/31/1998)

DEAR TREASURER:

IT HAS COME TO THE ATTENTION OF THE FEDERAL ELECTION COMMISSION THAT YOU MAY HAVE FAILED TO FILE THE ABOVE REFERENCED REPORT OF RECEIPTS AND EXPENDITURES AS REQUIRED BY THE FEDERAL ELECTION CAMPAIGN ACT, AS AMENDED. YOU WERE PREVIOUSLY NOTIFIED OF THE DUE DATE FOR THIS REPORT.

IT IS IMPORTANT THAT YOU FILE THIS REPORT IMMEDIATELY WITH THE FEDERAL ELECTION COMMISSION, 999 E STREET, N.W., WASHINGTON, D.C., 20463. A COPY OF THE REPORT OR RELEVANT PORTIONS SHOULD ALSO BE FILED WITH THE SECRETARY OF STATE OR EQUIVALENT STATE OFFICER.

ALTHOUGH THE COMMISSION MAY INITIATE AN AUDIT OR LEGAL ENFORCEMENT ACTION CONCERNING THIS MATTER, YOUR PROMPT RESPONSE AND A LETTER OF EXPLANATION WILL BE TAKEN INTO CONSIDERATION.

IF YOU HAVE ANY QUESTIONS REGARDING THIS MATTER, PLEASE CONTACT NEIL A. EVANS ON OUR TOLL FREE NUMBER (800)424-9530. OUR LOCAL NUMBER IS (202)694-1130.

SINCERELY,

JOHN D. GIBSON
ASSISTANT STAFF DIRECTOR
REPORTS ANALYSIS DIVISION